

REMARKS/ARGUMENTS

Applicant thanks the Examiner for the interview of July 15, 2005.

The Examiner rejects claims 1-7, 10-13, 15-23, 25-27, 35-44, and 47-49 under 35 U.S.C. §102(a) as being anticipated by Microsoft Office 2000 professional edition ("Office2000").

The rejections are moot in light of the cancellation of the above claims. Applicants have added new claims 50-92, which are allowable over the cited reference. Office2000 fails to teach or suggest at least the following italicized features of the independent claims:

50. A method, comprising:
(a) receiving a set of data values;
(b) generating a first graphical image representative of the data values;
(c) selecting first and second data values on the first graphical image, a first portion of the first graphical image being positioned between the selected first and second data values;
(d) *editing the first portion of the first graphical image to produce a second graphical image, wherein the first and second graphical images are different and wherein editing comprises at least one of the following substeps:*
(c1) *repositioning at least one point on the first portion of the first graphical image using a user manipulable affordance positioned on the first graphical image; and*
(c2) *applying a user selected first editing function to the first graphical image, the user selecting the first editing function from among a plurality of predetermined editing functions; and*
(e) *recalculating at least a portion of the set of data values based on the second graphical image.*

65. A computer system, comprising:
user interface means for receiving a set of data values; and
processing means for:
(a) generating a first graphical image representative of the data values,
(b) selecting first and second data values on the first graphical image, a first portion of the first graphical image being positioned between the selected first and second data values,

(c) editing the first portion of the first graphical image to produce a second graphical image, wherein the first and second graphical images are different and wherein the editing function comprises at least one of the following subfunctions:

(c1) repositioning at least one point on the first portion of the first graphical image using a user manipulable affordance positioned on the first graphical image; and

(c2) applying a user selected first editing function to the first graphical image, the user selecting the first editing function from among a plurality of predetermined editing functions, and

(d) recalculating at least a portion of the set of data values based on the second graphical image.

79. A computer system, comprising:

a user interface operable to receive a set of data values; and

a processor operable to:

(a) generate a first graphical image representative of the data values,

(b) select first and second data values on the first graphical image, a first portion of the first graphical image being positioned between the selected first and second data values,

(c) edit the first portion of the first graphical image to produce a second graphical image, wherein the first and second graphical images are different and wherein the editing operation comprises at least one of the following suboperations:

(c1) repositioning at least one point on the first portion of the first graphical image using a user manipulable affordance positioned on the first graphical image; and

(c2) applying a user selected first editing function to the first graphical image, the user selecting the first editing function from among a plurality of predetermined editing functions, and

(d) recalculate at least a portion of the set of data values based on the second graphical image.

Office2000 is directed to the Excel product, which is premised on spread sheets being composed of a plurality of cells. Groups of cells may be linked together for purposes of applying a mathematical function, such as addition and subtraction, to the values in the cells. Various functions are provided for the user to select from. Excel permits a user to generate various types of graphical images from a group of cells, such as a pie chart, line and area charts, column and bar charts, and specialty charts. In *creating a new* graphical image, the reference states at page

611 that “[a]s you change options, the chart preview will reflect your changes. When you’ve finished setting options, click Next to continue.” The reference fails to state what options are changed and previewed or how the options are selected. In editing an existing chart, the reference states at page 613 that, using drag-and-drop techniques, a data series can be selected and *added* to the chart (*i.e.*, a new range of values will be added to the chart outside of the existing ranges of values). The chart will be automatically updated to reflect the *added* data series. However, Office2000 does not discuss selectively editing an existing chart over only an *existing* range of the chart (*i.e.*, over a range that is not added to the chart as part of the editing process).

In the interview, the Examiner acknowledged that Office 2000 failed to teach or suggest the italicized features.

Accordingly, the claims are allowable.

The newly added dependent claims provide further bases for allowance. By way of example, dependent claim 53 is directed to the step of:

(f) displaying a value associated with a specified location on at least one of the first and second graphical images in response to the user positioning a cursor over the specified location, wherein the value is displayed in the vicinity of the cursor. *See also* dependent claims 68 and 82.

Dependent claim 60 states that, when the user selects a first mode, a plurality of affordances are displayed on the first graphical image. *See also* dependent claims 75 and 89.

Dependent claim 62 requires a representation of each of the plurality of editing functions is displayed with the first graphical image in one or more dialog boxes. *See also* dependent claims 77 and 91.

Applicant wishes to clarify the intended meaning of certain claim language in light of the Federal Circuit decision “SuperGuide Corporation v. DirecTV Enterprises, Inc., et al., 358 F.3d 870 (Fed. Cir. 2004). In that decision, the Federal Circuit held, under the unique facts of that case, that the phrase “at least one of a desired program start time, a desired program end time, a desired program service, and a desired program type” means “at least one of a desired program

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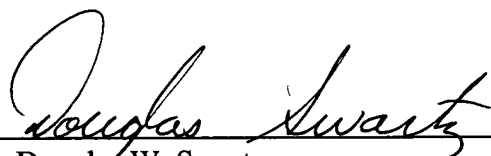
start time, at least one of a desired program end time, at least one of a desired program service, and at least one of a desired program type”.

Applicant has used the phrase “at least one of . . . and” in a number of claims and wishes to clarify to the Examiner the proper construction of this phrase. Applicant intended the phrase “at least one . . . and” as used in the claims to be an open-ended expression that is both conjunctive and disjunctive in operation. For example, the expression “at least one of A, B and C” means A alone, B alone, C alone, A and B together, A and C together, B and C together, and A, B and C together. Applicant believes that this construction is consistent with the Examiner’s construction of the claims in the Office Action. If the Examiner disagrees with this construction, Applicant respectfully requests that the Examiner notify Applicant accordingly so that Applicant can further amend the claims.

Based upon the foregoing, Applicants believe that all pending claims are in condition for allowance and such disposition is respectfully requested. In the event that a telephone conversation would further prosecution and/or expedite allowance, the Examiner is invited to contact the undersigned.

Respectfully submitted,

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